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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,215	07/20/2004	Mario Bartholoma	AMB-PT 110 (PC03260MUS)	9180

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EXAMINER	
DUNWOODY, AARON M	
ART UNIT	**PAPER NUMBER**
3679	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/502,215	BARTHOLOMA ET AL.	
	Examiner	Art Unit	
	Aaron M. Dunwoody	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 July 2005* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7/20/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement (IDS) filed 7/20/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the counter counter-sleeve must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering

of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the counter counter-sleeve" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Regarding claims 1 and 3, the phrase "and/or" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention.

Regarding claim 1, the phrase "ring-like" renders the claim(s) indefinite because it is unclear whether the element is shaped or not.

Regarding claim 8, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. See MPEP § 2173.05(c). Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 9 recites the broad recitation screw is, and the claim also recites screws are which is the narrower statement of the range/limitation.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 4927187, Sanford et al.

In regard to claim 1, as best understood, in Figures 2 and 4, Sanford et al disclose a terminal connection, comprising a threaded sleeve, a counter-sleeve or a similar pressure part that can be connected to the threaded sleeve, and a terminal insert that can be pressed against an elongated body, wherein the counter counter-sleeve or the; pressure part exerts pressure or covers the terminal insert with a ring-like contact surface at least at one of the ends and upon tightening a thread with a tapering shape, which is arranged on the terminal insert, in the threaded sleeve, or instead of the ring-like contact surface in the counter-sleeve, deforms a region of the terminal insert provided with slots or similar free spaces radially against the elongated body and wherein the threaded sleeve has a radially extending collar or flange, having peripheral contours that are non-round or polygonal, wherein the terminal connection includes a coupling piece that can be connected therewith in a detachable manner that includes a depression having a through-opening for the elongated body, the radially projecting collar of the threaded sleeve fits and can be inserted into the depression, the coupling piece has projections directed radially inwardly on a front edge region of the depression in an insertion direction of the threaded sleeve for covering the collar of the threaded sleeve in the coupling position, and the coupling piece adjacent to the depression has an attachment region for connecting to a counterpart or a retaining nut or a through-opening of the housing.

In regard to claim 2, as best understood, in Figures 2 and 4, Sanford et al disclose the attachment region of the coupling piece having an external thread, which fits an internal thread of a housing through-opening or a retaining nut or counterpart.

In regard to claim 3, as best understood, in Figures 2 and 4, Sanford et al disclose the threaded sleeve adjacent to the collar having an attachment section through which it is connected in a detachable manner to a counterpart or a retaining nut or a through-opening of a housing, and the attachment section of the threaded sleeve and the attachment region of the coupling piece are formed or dimensioned to match each other.

In regard to claim 4, as best understood, in Figures 2 and 4, Sanford et al disclose the coupling piece has a greater radial extent between the radially inwardly directed projections between intermediate spaces, wherein an extent of the intermediate spaces in the radial and circumferential direction is equal to or greater than that of the radially projecting regions or edges of the non-round or polygonal collar of the terminal connection, and the radially inwardly directed projections projecting from the coupling piece extend in an opposite direction a sufficient distance so that flattened sections between the edges of the projections of the non-round or polygonal collar fit between them and the non-round or polygonal collar are rotatable after axial insertion at least so far under the projections of the coupling piece that the projecting regions or edge regions are arranged under or behind the radially inwardly directed projections of the coupling piece.

In regard to claim 5, as best understood, in Figures 2 and 4, Sanford et al disclose on the coupling piece there is at least one terminal screw, that can be tightened in a radial direction for exerting pressure on an outside of the collar in the coupling position.

In regard to claim 6, as best understood, in Figures 2 and 4, Sanford et al disclose the terminal screw is arranged in a region of an intermediate space between two radial projections of the coupling piece axially at a height of a peripheral surface of the engaging collar in the position of use so that in the coupling position a flat side exerts pressure on the periphery of the non-round collar.

In regard to claim 7, as best understood, in Figures 2 and 4, Sanford et al disclose a number of the radially inwardly directed projections of the coupling piece and the intermediate spaces arranged between these projections corresponds to a number of edges or regions of the collar of the threaded sleeve projecting opposite the flattened sections.

In regard to claim 8, as best understood, in Figures 2 and 4, Sanford et al disclose for coupling or locking the threaded sleeve to the coupling piece, a relative mutual rotation is performed by an angle, which is given by dividing 180 degrees by the number of projections or intermediate spaces and edges.

In regard to claim 9, as best understood, in Figures 2 and 4, Sanford et al disclose the terminal screw is a stud screw.

In regard to claim 10, as best understood, in Figures 2 and 4, Sanford et al disclose the depression on the coupling piece and the attachment region are arranged axially one behind the other.

In regard to claim 11, as best understood, in Figures 2 and 4, Sanford et al disclose at least one of the projections of the coupling piece can be moved from a

retracted position approximately radially inwardly during or after the insertion of the collar of the threaded sleeve into the depression.

In regard to claim 12, as best understood, in Figures 2 and 4, Sanford et al disclose within the depression an elastic ring comprising a sealing ring or O-ring is provided as an axial stop for the collar, and the elastic ring is somewhat compressed in the position of use or in the axial direction.

In regard to claim 13, as best understood, in Figures 2 and 4, Sanford et al disclose a longitudinal center axis of the attachment region is angled relative to a longitudinal center axis of the depression of the coupling piece.

In regard to claim 14, as best understood, in Figures 2 and 4, Sanford et al disclose the terminal screw is arranged at a position of greater thickness of the wall of the depression.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 5763833, Bawa et al.

In regard to claim 1, as best understood, in Figures 2 and 4, Bawa et al disclose a terminal connection, comprising a threaded sleeve, a counter-sleeve or a similar pressure part that can be connected to the threaded sleeve, and a terminal insert that can be pressed against an elongated body, wherein the counter counter-sleeve or the; pressure part exerts pressure or covers the terminal insert with a ring-like contact surface at least at one of the ends and upon tightening a thread with a tapering shape, which is arranged on the terminal insert, in the threaded sleeve, or instead of the ring-

like contact surface in the counter-sleeve, deforms a region of the terminal insert provided with slots or similar free spaces radially against the elongated body and wherein the threaded sleeve has a radially extending collar or flange, having peripheral contours that are non-round or polygonal, wherein the terminal connection includes a coupling piece that can be connected therewith in a detachable manner that includes a depression having a through-opening for the elongated body, the radially projecting collar of the threaded sleeve fits and can be inserted into the depression, the coupling piece has projections directed radially inwardly on a front edge region of the depression in an insertion direction of the threaded sleeve for covering the collar of the threaded sleeve in the coupling position, and the coupling piece adjacent to the depression has an attachment region for connecting to a counterpart or a retaining nut or a through-opening of the housing.

In regard to claim 2, as best understood, in Figures 2 and 4, Bawa et al disclose the attachment region of the coupling piece having an external thread, which fits an internal thread of a housing through-opening or a retaining nut or counterpart.

In regard to claim 3, as best understood, in Figures 2 and 4, Bawa et al disclose the threaded sleeve adjacent to the collar having an attachment section through which it is connected in a detachable manner to a counterpart or a retaining nut or a through-opening of a housing, and the attachment section of the threaded sleeve and the attachment region of the coupling piece are formed or dimensioned to match each other.

In regard to claim 4, as best understood, in Figures 2 and 4, Bawa et al disclose the coupling piece has a greater radial extent between the radially inwardly directed projections between intermediate spaces, wherein an extent of the intermediate spaces in the radial and circumferential direction is equal to or greater than that of the radially projecting regions or edges of the non-round or polygonal collar of the terminal connection, and the radially inwardly directed projections projecting from the coupling piece extend in an opposite direction a sufficient distance so that flattened sections between the edges of the projections of the non-round or polygonal collar fit between them and the non-round or polygonal collar are rotatable after axial insertion at least so far under the projections of the coupling piece that the projecting regions or edge regions are arranged under or behind the radially inwardly directed projections of the coupling piece.

In regard to claim 5, as best understood, in Figures 2 and 4, Bawa et al disclose on the coupling piece there is at least one terminal screw, that can be tightened in a radial direction for exerting pressure on an outside of the collar in the coupling position.

In regard to claim 6, as best understood, in Figures 2 and 4, Bawa et al disclose the terminal screw is arranged in a region of an intermediate space between two radial projections of the coupling piece axially at a height of a peripheral surface of the engaging collar in the position of use so that in the coupling position a flat side exerts pressure on the periphery of the non-round collar.

In regard to claim 7, as best understood, in Figures 2 and 4, Bawa et al disclose a number of the radially inwardly directed projections of the coupling piece and the

intermediate spaces arranged between these projections corresponds to a number of edges or regions of the collar of the threaded sleeve projecting opposite the flattened sections.

In regard to claim 8, as best understood, in Figures 2 and 4, Bawa et al disclose for coupling or locking the threaded sleeve to the coupling piece, a relative mutual rotation is performed by an angle, which is given by dividing 180 degrees by the number of projections or intermediate spaces and edges.

In regard to claim 9, as best understood, in Figures 2 and 4, Bawa et al disclose the terminal screw is a stud screw.

In regard to claim 10, as best understood, in Figures 2 and 4, Bawa et al disclose the depression on the coupling piece and the attachment region are arranged axially one behind the other.

In regard to claim 11, as best understood, in Figures 2 and 4, Bawa et al disclose at least one of the projections of the coupling piece can be moved from a retracted position approximately radially inwardly during or after the insertion of the collar of the threaded sleeve into the depression.

In regard to claim 12, as best understood, in Figures 2 and 4, Bawa et al disclose within the depression an elastic ring comprising a sealing ring or O-ring is provided as an axial stop for the collar, and the elastic ring is somewhat compressed in the position of use or in the axial direction.

In regard to claim 13, as best understood, in Figures 2 and 4, Bawa et al disclose a longitudinal center axis of the attachment region is angled relative to a longitudinal center axis of the depression of the coupling piece.

In regard to claim 14, as best understood, in Figures 2 and 4, Bawa et al disclose the terminal screw is arranged at a position of greater thickness of the wall of the depression.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aaron M Dunwoody
Primary Examiner
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